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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

NAZEM RAJHA,

Plaintiff and Appellant,

v.

JAMAL N. DAWOOD et al.,

Defendants and Respondents.

B270713

(Los Angeles County
Super. Ct. No. GC049231)

APPEAL from a judgment of the Superior Court of
Los Angeles County. John P. Doyle, Judge. Affirmed.

Nazem Rajha, in pro. per.; and Keith F. Rouse, for Plaintiff
and Appellant.

De Novo Law Firm and Benjamin Yrungaray for
Defendants and Respondents.

Plaintiff Nazem Rajha (Rajha) appeals from a judgment entered against him and coplaintiff Manar Mayalah and in favor of defendants and respondents Jamal N. Dawood (Dawood), Medline Management Corporation, and Capital Finance, Inc. Because Rajha has not met his burden on appeal, we affirm.

FACTUAL AND PROCEDURAL BACKGROUND

On April 5, 2012, plaintiffs filed the underlying action against Dawood and others. From what we can glean from the opening brief and the limited appellate record,¹ it appears that the lawsuit arises out of a dispute regarding two parcels of property located in Pasadena, California.

The fifth amended complaint, the operative pleading, apparently alleged claims for fraud and deceit, fraudulent misrepresentation, constructive fraud, negligence, and unfair competition. Following trial, according to Dawood's respondent's brief, the trial court issued a 41-page statement of decision, finding in favor of Dawood on all counts.

Rajha timely appealed.

¹ The record presented by Rajha consists solely of the case summary, the parties' proposed statements of decision, the judgment, and Rajha's notice of appeal. On or about January 30, 2019, Rajha dropped off a box containing 11 notebooks of reporter's transcripts from trial court proceedings. Although Dawood relies upon the trial court's statement of decision in his respondent's brief, and Rajha refers to it in his untimely reply brief (that we did not allow to be filed because of his blatantly false representation that he was told that he would be given an extension without any deadline), no one provided us with a copy of that statement of decision.

DISCUSSION

An appellate court presumes that the judgment is correct. (*Ballard v. Uribe* (1986) 41 Cal.3d 564, 574; *Denham v. Superior Court* (1970) 2 Cal.3d 557, 564.) We adopt all intendments and inferences to affirm the judgment unless the record expressly contradicts them. (*Brewer v. Simpson* (1960) 53 Cal.2d 567, 583.) An appellant has the burden of overcoming the presumption of correctness, and we decline to consider issues raised in an opening brief that are not properly presented or sufficiently developed to be cognizable. (*People v. Stanley* (1995) 10 Cal.4th 764, 793; *People v. Turner* (1994) 8 Cal.4th 137, 214, fn. 19; *In re David L.* (1991) 234 Cal.App.3d 1655, 1661; *Mansell v. Board of Administration* (1994) 30 Cal.App.4th 539, 545–546.) In other words, an appellant must “present an adequate argument including citations to supporting authorities and to relevant portions of the record. [Citations.]” (*Yield Dynamics, Inc. v. TEA Systems Corp.* (2007) 154 Cal.App.4th 547, 557; *Benach v. County of Los Angeles* (2007) 149 Cal.App.4th 836, 852.) A litigant’s election to act in propria persona on appeal does not entitle him to any leniency as to the rules of practice and procedure; otherwise, ignorance is unjustly rewarded. (*Rappleyea v. Campbell* (1994) 8 Cal.4th 975, 984–985.)

Simply put, Rajha did not meet his burden on appeal. Rajha’s first argument is that, based upon the evidence presented at trial, Dawood had to have been a mortgagee in possession because he was not a licensed loan broker. But Rajha does not offer any supporting evidence, legal authority, or legal analysis. (*Sprague v. Equifax, Inc.* (1985) 166 Cal.App.3d 1012, 1050.)

Rajha's second argument is that the trial court should have found an oral joint venture agreement between plaintiffs and Dawood. But again, he has not met his burden on appeal. He did not provide us with an adequate appellate record to consider this argument. We do not even have a copy of the fifth amended complaint or the trial court's statement of decision. Absent a complete appellate record, we cannot evaluate the trial court's apparent determination that an oral joint venture agreement did not exist between plaintiffs and Dawood. (*Brown v. Boren* (1999) 74 Cal.App.4th 1303, 1320–1321.)

DISPOSITION

The judgment is affirmed. Dawood is entitled to costs on appeal.

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_____, J.
ASHMANN-GERST

We concur:

_____, P. J.
LUI

_____, J.
CHAVEZ